

10/585521
17 Aug 06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/585,521
Applicant : Udo Bernhardt
Filed : 07/07/2006
Tech. Center/Art Unit : (Not yet assigned)
Examiner : (Not yet assigned)
Attorney File No. : GOTZF 156
Customer No. : 002555
Confirmation Number : (Not yet assigned)
: Knotting System For A Dough Strand

I hereby certify that this correspondence is sent by facsimile to Fax No. 571/273-6500 at the U.S. Patent and Trademark Office, Deposit Account Department, this 17th day of August, 2006.


Debra A. Bright

Kremblas, Foster, Phillips & Pollick
Fax No.: 614/575-2149
No. of pages faxed: 7

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR DEPOSIT ACCOUNT
REFUND DUE TO OFFICE ERROR**

Applicant claimed small entity status on the filed Transmittal Letter, a copy of which is appended.

Upon reviewing the undersigned attorney's Deposit Account Statement for the month of July 2006, a copy of which is appended, it was discovered that two large entity fees and an assignment fee had been charged to the undersigned attorney's deposit account for the above-identified application. These are explained in more detail below.

Upon seeing the charged fees on the deposit statement, the undersigned attorney's secretary reviewed the Transmittal Letter to the US Designated/Elected Office and found

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that when she reduced the fees by ½, because the Applicant claimed small entity status, she did not include in that calculation the reduction of fees for lines 21, 22 and 23. The calculations that were reduced were the fees relating to the claims. Because that reduction was not taken, total fees in the amount of \$1555.00 were paid for the National Fee, when Applicant should have only paid \$1055.00. Thus, Applicant overpaid the National Fee by \$500.00, and that amount should now be refunded to the undersigned attorney's deposit account.

Further, the Deposit Account Statement showed that instead of crediting the overpaid fees in the amount of \$500.00 to the account, the Office instead charged the account more fees in relation to the claims.

Even though applicant had overpaid fees in the amount of \$500.00, the Office charged the undersigned attorney's deposit account the following fees: (1) a large entity fee for one (1) extra independent claim in the amount of \$155.00; (2) a large entity fee for multiple dependent claims in the amount of \$360.00; and (3) an Assignment recording fee in the amount of \$40.00. The two fees listed above that relate to the claims had already been paid by Applicant at the small entity charge and the Assignment recording fee had also been calculated on the Transmittal Letter and paid by applicant, as shown on the appended copy of the Transmittal Letter. The fees were properly paid by applicant as small entity fees, because applicant claimed small entity status. The excess charges occurred because the Office personnel did not notice that applicant had claimed small entity status. Consequently, the undersigned attorney's deposit account was overcharged in the amount of \$555.00 for the three fees listed above.

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In summary, the total amount that was overpaid by applicant and erroneously charged by the Office to the undersigned attorney's deposit account is as follows:

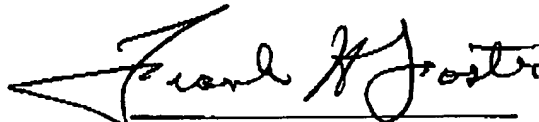
OVERPAID FEE BY ATTORNEY	\$ 500.00
ERRONEOUS CHARGES BY OFFICE	\$ 555.00
TOTAL TO BE REFUNDED TO DEPOSIT ACCOUNT	\$1055.00

The undersigned attorney also requests that the computer records of the U.S. Patent and Trademark Office be checked to make certain the Office records accurately reflect that Applicant is entitled to small entity status.

The examiner is authorized to communicate with the undersigned attorney by email by the following recommended authorization language: Recognizing that Internet communications are not secure, I hereby authorize the USPTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file. (Authorization pursuant to MPEP 502.03.)

Respectfully submitted,

8/16/06
Date of Signature



Frank H. Foster,
Reg. No. 24,560
KREMBLAS, FOSTER, PHILLIPS & POLLOCK
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Reynoldsburg, OH 43068
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Appended: Copy of deposit account statement
Copy of Transmittal Letter

Last printed 8/16/2006 3:10 PM
C:\client\docs\g\gotz-czo\156 knotting system for a dough strand\req for deposit acct refund.doc

Deposit Account Statement

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Page**Deposit Account Statement**

Requested Statement Month: July 2006
Deposit Account Number: 133393
Name: KREMBLAS, FOSTER, MILLARD & POLLOCK
Attention: SIDNEY W. MILLARD
Address: 7632 SLATE RIDGE BLVD
City: REYNOLDSBURG
State: OH
Zip: 43068
Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
07/07	9	10555470	OSU2949PCTUS 1842		\$400.00	\$1,711.00
07/07	10	10555470	OSU2949PCTUS 1833		\$200.00	\$1,511.00
07/07	11	10555470	OSU2949PCTUS 1841		\$100.00	\$1,411.00
07/10	15	10555470	OSU2949PCTUS 1833		-\$200.00	\$1,611.00
07/10	16	10555470	OSU2949PCTUS 1841		-\$100.00	\$1,711.00
07/10	17	10555470	OSU2949PCTUS 1842		-\$400.00	\$2,111.00
07/10	18	10555470	OSU2949PCTUS 1841		\$100.00	\$2,011.00
07/10	19	10555470	OSU2949PCTUS 1833		\$200.00	\$1,811.00
07/17	159	10585521	GOTZF 156	1814	\$155.00	\$1,656.00
07/17	181	10585521	GOTZF 156	1816	\$380.00	\$1,298.00
07/17	182	10585521	GOTZF 156	8021	\$40.00	\$1,256.00
07/20	99	60700825		8007	\$60.00	\$1,196.00
07/20	100	11214851		8007	\$60.00	\$1,136.00

START	SUM OF	SUM OF	END
BALANCE	CHARGES	REPLENISH	BALANCE
\$2,111.00	\$1,675.00	\$700.00	\$1,136.00

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